

REMARKS

Claims 1-10 are pending in the above application.

The Office Action dated March 21, 2006, has been received and carefully reviewed. In that Office Action, claims 1 and 8 were rejected under 35 U.S.C. 102(e) as being anticipated by Saito. Claims 2-4, 6, 7 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of Yonekura. In addition, claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of Pugel, and claims 9 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of Yoshisato. Objections to the form of claims 4 and 6 were also raised. Reconsideration and allowance of these claims is respectfully requested in view of the above amendments and following remarks.

CLAIM OBJECTIONS

Claims 4 and 6 were objected to because the phrase “the frequency multiplier circuit” lacked antecedent basis in claim 1. Claim 1 has been amended to recite a frequency multiplier circuit, thereby addressing this objection.

REJECTIONS UNDER 35 U.S.C. 102(e)

Claims 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Saito. Claim 1 has been amended to require a frequency multiplier circuit. Saito does not disclose a frequency multiplier circuit. Claim 2, which requires a frequency multiplier circuit is not said to be anticipated by Saito. The withdrawal of the rejection of claim 1 as being anticipated by Saito is respectfully requested in view of the above amendment.

Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Saito. Claim 8 has been amended to require a step of selecting a frequency for receiving a radio-frequency signal and a step of controlling an output signal level of a local signal generator based on the selected frequency. Saito includes a frequency selection circuit 11, but does not control an output signal level of a local signal generator based on the selected frequency. For example, if no radio-frequency signal is being received by Saito, changing a frequency selected for reception would not appear to affect amplitude level correction circuit 12. Saito does not show a step of

controlling an output signal level of a local signal generator based on a selected frequency, and claim 8 is submitted to be allowable over Saito for at least this reason.

REJECTIONS UNDER 35 U.S.C. 103(a)

Claim 1, as amended, also distinguishes over Saito in combination with Yonekura and the other references of record and is submitted to be allowable. Saito does not include a frequency multiplier circuit, but the Office Action states that it would have been obvious to add the frequency multiplier circuit of Yonekura to Saito. However, even if a motivation for making such a modification were provided, the result would not be the device required by amended claim 1. Claim 1 requires a level switcher for switching an output level of the frequency multiplier circuit. Saito shows a detector 6 controlling an amplitude level correction circuit 12. Even if a frequency multiplier circuit were added to Saito, nothing in the art of record suggests using detector 6 to control such a frequency multiplier circuit. Yonekura's frequency multiplier circuit, for example, (and as argued in the previous Reply,) is not controlled based on a frequency of a received signal. Because the references of record do not show or suggest the invention required by claim 1 as amended, claim 1 and its dependent claims 2 and 4-7 are submitted to be allowable.

Original claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of Yonekura. By the above amendment, claim 3 has been rewritten in independent form to include the limitations of its base claims, but has not otherwise been changed in scope. Claim 3 requires a controller that 1) controls a voltage controlled oscillator through a phase-locked loop circuit by using a control signal and 2) controls a level switcher by using another control signal corresponding to the control signal. The Office Action has called Saito's detector 6 a controller and Saito's amplitude level correction circuit 12 a level switcher; detector 6 produces a signal for controlling amplitude level correction circuit 12. However detector 6 does not produce a signal controlling a phase-locked loop by using a control signal, much less a signal controlling a phase-locked loop by using a signal corresponding to the control signal that controls a level switcher. The rejection therefore also seems to require adding Yonekura's controller to Saito, although no motivation for doing so has been provided. The rejection would then also require some

combination of the functions of Saito's controller and Yonekura's controller, although no motivation for such a modification has been provided. It is therefore submitted that 1) no motivation for modifying Saito in view of Yonekura in order to show or suggest the invention of claim 3 has been provided, and 2) that even if a proper motivation were provided, the result would not be the invention required by claim 3. Claim 3 is submitted to be allowable over the references of record for at least these reasons. Claim 4 depends from claim 3 and is submitted to be allowable for at least the same reasons as claim 3.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over "Saiko" (presumably "Saito" as claim 1 is referred to in the rejection) in view of Pugel. Claim 5 depends from claim 1. Pugel does not address the shortcomings of Saito discussed above in connection with claim 1. Claim 5 is therefore submitted to be allowable for at least the same reasons provided above in connection with claim 1.

Claim 8 as amended is also submitted to distinguish over Saito in view of Yonekura. Saito and Yonekura, either alone or in combination, do not show at least the steps of selecting a frequency for receiving a radio frequency signal and controlling an output signal level of a local signal generator based on the selected frequency as required by claim 8. Claims 9 and 10 depend from claim 8 and are submitted to be allowable for at least the same reasons as claim 8.

Claim 9 is also rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of Yoshisato. Claim 9 depends from claim 8. Yoshisato does not address the shortcomings of Saito discussed above in connection with the Section 102(e) rejection of claim 8. Claim 9 is therefore submitted to be allowable over Saito and Yoshisato for at least the same reasons as claim 8. Claim 10 depends from claim 9 and is submitted to be allowable for at least the same reasons as claim 9.

CONCLUSION

Each issue raised in the Office Action dated March 21, 2006, has been addressed, and it is believed that claims 1-10 are in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited.

Application No. 09/941,558
Amendment dated May 26, 2006
Reply to Office Action of March 21, 2006

Docket No.: 2936-0134P

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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